

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WSOU INVESTMENTS, LLC d/b/a BRAZOS
LICENSING AND DEVELOPMENT,

Plaintiff,

v.

DELL TECHNOLOGIES INC., DELL INC.,
EMC CORPORATION, AND VMWARE,
INC.,

Defendants.

Case No. 6:20-cv-00480-ADA

Case No. 6:20-cv-00481-ADA

Case No. 6:20-cv-00485-ADA

Case No. 6:20-cv-00486-ADA

JURY TRIAL DEMANDED

**DECLARATION OF JAYSEN S. CHUNG IN SUPPORT OF
DEFENDANTS' RESPONSIVE CLAIM CONSTRUCTION BRIEF
REGARDING U.S. PATENT NOS. 7,092,360; 7,539,133; 7,636,309; AND 9,164,800**

I, Jaysen S. Chung, declare as follows:

1. I am an attorney permitted to practice law before this Court *pro hac vice* and am licensed to practice law in California. I am an associate attorney with the law firm of Gibson, Dunn & Crutcher LLP and counsel of record for Defendants Dell Technologies Inc., Dell Inc., EMC Corporation, and VMware, Inc. in the above-captioned action. I have personal knowledge and/or am directly informed of the matters stated below and, if called, would testify to them under oath.

2. Attached here as **Exhibit 1** are excerpts from the file history of U.S. Patent No. 7,092,360 (“the ’360 patent”), specifically from the application for patent filed on December 28, 2001. These excerpts were retrieved from the United States Patent Office’s website (<https://portal.uspto.gov/pair/PublicPair>).

3. Attached here as **Exhibit 2** are excerpts from the file history of the ’360 patent, specifically from an amendment filed on May 18, 2006. These excerpts were retrieved from the United States Patent Office’s website (<https://portal.uspto.gov/pair/PublicPair>).

4. Attached here as **Exhibit 3** are excerpts from the file history of the ’360 patent dated June 5, 2006, including a Notice of Allowability, an Examiner-Initiated Interview Summary, and a Claim Index. These excerpts were retrieved from the United States Patent Office’s website (<https://portal.uspto.gov/pair/PublicPair>).

5. Attached here as **Exhibit 4** is Defendants’ Preliminary Identification of Claim Terms for Construction dated January 6, 2021.

6. Attached here as **Exhibit 5** is an email chain including an email from me to Plaintiff’s counsel Ryan Loveless dated February 8, 2021, which identifies claim construction disputes (the “February 8 Email”).

7. Attached here as **Exhibit 6** is a chart identifying Defendants' Narrowed List of Terms of Construction, which was attached to the February 8 Email.

8. Attached here as **Exhibit 7** is a PDF print out of the first tab of the spreadsheet entitled "Claim Construction Summaries," which was submitted to the Court on February 1, 2021.

9. Attached here as **Exhibit 8** is an email chain including an email from Plaintiff's counsel Ryan Loveless responding to the February 8 Email.

10. Attached here as **Exhibit 9** is Plaintiff's Preliminary Constructions dated January 20, 2021.

11. Attached here as **Exhibit 10** are excerpts from the file history of U.S. Patent No. 9,164,800 ("the '800 patent"), specifically from the Amendment filed on April 13, 2015. These excerpts were retrieved from the United States Patent Office's website (<https://portal.uspto.gov/pair/PublicPair>).

12. Attached here as **Exhibit 11** is an Appendix titled "Verilog HDL Design," which was retrieved from the following website: <https://onlinelibrary.wiley.com/doi/pdf/10.1002/9780470823798.app1> (last visited March 17, 2021).

13. Attached here as **Exhibit 12** is an article titled "RTL (Register Transfer Level)," which was retrieved from the following website: https://semiengineering.com/knowledge_centers/eda-design/definitions/register-transfer-level/ (last visited March 17, 2021).

14. Attached here as **Exhibit 13** is a document titled "IEEE Standard for Verilog® Hardware Description Language," which was retrieved from the following website: <https://www.eg.bucknell.edu/~csci320/2016-fall/wp-content/uploads/2015/08/verilog-std-1364-2005.pdf> (last visited March 17, 2021).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 17, 2021

/s/ Jaysen S. Chung
Jaysen S. Chung